

Senate Bill 430 – Amendments by Section

Section 1 – Reporting Requirements for Coal Producers (page 1)

Tax Type: Coal Severance Tax

What:

- The department does not need or currently require each coal operator to provide a statement of tons sold to each purchaser. In addition there is no need to have this provided in duplicate.

Benefit:

- Eliminates unnecessary taxpayer reporting requirements.

Request By:

- Legislative Audit Report and Department of Revenue

Section 2 – Assessment of COGS Tax (page 2)

Tax Type: Combined Oil and Gas Tax

What:

- Eliminates language requiring the department too immediately, after the expiration of a quarter, to estimate the number of barrels produced and sold by the operator.

Benefit:

- Eliminates the unnecessary and unmanageable requirement.
- The Department would rather work with oil and gas operators to get them to file before any taxes are estimated.

Requested By:

- Legislative Audit Report and Department of Revenue

Section 3 – Correction to incorrect statute reference and code cleanup (page 2)

Tax Type: Bentonite Tax

What:

- Corrects error in the statute and makes it clear that the tax can be paid on or before the due date.

Benefit:

- Corrects statute and clarifies due date.

Requested By:

- Legislative Services and Department of Revenue

Section 4 – Code cleanup (page 2)

Tax Type: Wholesale Energy Transaction Tax

What:

- Amendment makes it clear that tax can be paid on or before the due date.

Benefit:

- Clarifies due date.

Requested By:

- Legislative Services and Department of Revenue

Section 5 & Section 6 – Tobacco Appeals (pages 3)

Tax Type: Cigarette and Other Tobacco Products Taxes

What:

- Gives the taxpayer the opportunity try and resolve their case before the department informally before their case goes to the State Tax Appeal Board.

Benefit:

- Prior to the state tax appeal board the taxpayer has the ability to appeal to the department's office of dispute and resolution. The proposal is taxpayer friendly.

Requested By:

- Department of Revenue

Section 7 – Estate Reports (page 3)

Tax Type: Estate Tax

What:

- The proposal closes a reporting loophole for estates and the department. For an estate that is issuing its final distributions they can file a copy of the federal estate tax return.

Benefit:

- This allows them to file the federal return to meet the requirements of the statute.

Requested By:

- Department of Revenue